

## **301 KAR 2:049**

### **Small game and furbearer hunting and trapping on public areas**

This administrative regulation establishes exceptions to statewide hunting and trapping regulations for small game and furbearers on public land and other federally owned areas.

#### **Significant Changes**

This amendment establishes smaller size restrictions on dry land body-gripping traps used on public lands, and establishes a standard means of registration for persons trapping on department-owned or operated Wildlife Management Areas and Outdoor Recreation Areas. This amendment allows a person to hunt coyotes after daylight hours on Robinson Forest Wildlife Management Area. In addition, this amendment restricts coyote hunting on Redbird Wildlife Management Area to daylight hours only. It also contains modifications to conform with administrative regulation style requirements.

1 TOURISM, ARTS AND HERITAGE CABINET

2 Kentucky Department of Fish and Wildlife Resources

3 (Amendment)

4 301 KAR 2:049. Small game and furbearer hunting and trapping on public [~~and other federally~~  
5 ~~owned~~] areas.

6 RELATES TO: KRS 150.010, 150.092, 150.170, 150.370, 150.399, [~~150.400, 150.410,~~]  
7 150.990, 150.995

8 STATUTORY AUTHORITY: KRS 150.025(1), 150.175(7), (9), 150.360, 150.400, 150.410,  
9 150.620

10 NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1) authorizes the department  
11 to promulgate administrative regulations to establish open seasons for the taking of wildlife, to  
12 regulate bag limits and methods of take, and to make these requirements apply statewide or to a  
13 limited area. KRS 150.175 (7), (9) authorizes the department to issue licenses, permits, and tags  
14 for hunting and trapping. KRS 150.360 requires restrictions on the taking of wildlife and  
15 authorizes the department to promulgate administrative regulations establishing the requirements  
16 for hunting coyotes at night. KRS 150.400 authorizes the department to establish the types of  
17 traps that can legally be used by trappers. KRS 150.410 authorizes the department to regulate  
18 trap tags, trap visitation, and trap placement to protect domestic animals. KRS 150.620  
19 authorizes the department to promulgate administrative regulations for the maintenance and  
20 operation of the lands it has acquired for public recreation. This administrative regulation  
21 establishes exceptions to statewide small game and furbearer regulations on public areas.

1 Section 1. Definitions. (1) "Adult" means a person who is at least eighteen (18) years of age.

2 (2) "Body-gripping trap" means a commercially manufactured spring-loaded trap designed to kill

3 the animal upon capture.

4 (3) "Dry land set" means a trap that is set so that no portion of the trap touches the water of a

5 stream, river, pond, lake, wetland, or other water course.

6 (4) "Furbearer" means mink, muskrat, beaver, raccoon, opossum, gray fox, red fox, least weasel,

7 long-tailed weasel, river otter, bobcat, coyote, or striped skunk.

8 "Upland bird" means a grouse or northern bobwhite.

9 (3) "Wildlife Management Area" or "WMA" means a tract of land:

10 (a) Controlled by the department through ownership, lease, license, or cooperative agreement;

11 and

12 (b) That has "Wildlife Management Area" or "WMA" as part of its official name.

13 (4) "Youth" means a person under the age of sixteen (16) by the date of the hunt.

14 Section 2. This administrative regulation shall establish exceptions to the statewide requirements

15 established in 301 KAR 2:122, 2:251, and 3:010.

16 Section 3. General Requirements on a Wildlife Management Area or Outdoor Recreation Area.

17 (1) Except as established in subsection (2) of this section, a person hunting any species during

18 daylight hours, and any person accompanying that hunter, shall comply with hunter orange

19 requirements as established in 301 KAR 2:132, 2:172, and 2:300.

20 (2) The hunter orange clothing requirement in subsection (1) of this section shall not apply to a

21 person:

22 (a) hunting dove or waterfowl as established in 301 KAR 2:225;

23 (b) Hunting waterfowl as established in 301 KAR 2:221, 2:222, or 2:226; or

1 (c) Trapping furbearers as established in 301 KAR 2:251.

2 (3) There shall be a free youth small game hunting week for seven (7) consecutive days  
3 beginning on the Saturday after Christmas, in which a youth may take small game without a  
4 hunting license.

5 (4) There shall be a free youth trapping week for seven (7) consecutive days beginning on the  
6 Saturday after Christmas, in which a youth may trap without a trapping license.

7 (5) A body-gripping trap shall have a maximum inside jaw spread of five and one-quarter (5.25)  
8 inches measured:

9 (a) In the center of the trap; and

10 (b) In the unset position.

11 (6) Dry land sets shall not be placed closer than ten (10) feet apart.

12 (7) A person wishing to trap shall complete a KDFWR Public Area Trapping Registration Form  
13 obtained from a department office or the department's Web site at fw.ky.gov:

14 (a) For each Wildlife Management Area or Outdoor Recreation Area a person intends to trap;  
15 and

16 (b) Prior to trapping.

17 Section 4. Exceptions on Wildlife Management Areas and Outdoor Recreation Areas. (1) Barren  
18 River Wildlife Management Area.

19 (a) The WMA shall be considered to be entirely within the Eastern Zone, as established in 301  
20 KAR 2:122.

21 (b) Northern bobwhite and rabbit seasons shall be closed after December 31.

22 (c) On the Peninsula Unit, including Narrows, Goose and Grass Islands, a person shall not hunt  
23 with a breech-loading firearm.

- 1 (2) Beaver Creek WMA, including private inholdings.
- 2 (a) Grouse season shall be open from October 1 through December 31.
- 3 (b) Northern bobwhite and rabbit seasons shall be closed after December 31.
- 4 (c) A person shall hunt coyotes during daylight hours only.
- 5 (3) Cane Creek WMA, including private inholdings.
- 6 (a) Grouse season shall be open from October 1 through December 31.
- 7 (b) Northern bobwhite and rabbit seasons shall be closed after December 31.
- 8 (c) A person shall hunt coyotes during daylight hours only.
- 9 (4) Cedar Creek Lake WMA.
- 10 (a) Rabbit season shall be closed after December 31.
- 11 (b) With the exception of the statewide squirrel season, the area shall be closed to all other small
- 12 game and furbearer hunting.
- 13 (5) Clay WMA.
- 14 (a) The area shall be closed for four (4) consecutive days beginning on the first Friday in
- 15 December to all hunting except archery deer hunting and the pheasant quota hunt established in
- 16 Section 5 of this administrative regulation.
- 17 (b) Rabbit season shall be closed after December 31.
- 18 (c) Grouse and northern bobwhite hunting shall be restricted to quota hunt dates established in
- 19 Section 5 of this administrative regulation.
- 20 (d) Pheasant may be taken beginning on the Tuesday following the pheasant quota hunt through
- 21 December 31.
- 22 1. Any person with a valid hunting license may take a pheasant.
- 23 2. The daily limit per hunter shall be three (3) birds of either sex.

- 1 (e) Quota fox hunting field trials.
- 2 1. There shall be a maximum of two (2) four (4) day events per calendar year.
- 3 2. Each event shall be limited to 250 participants.
- 4 3. The area shall be closed to nonparticipants.
- 5 4. A participant shall:
  - 6 a. Wear a laminated identification badge issued by the department during the event; and
  - 7 b. Return the laminated badge at the close of the event.
- 8 (6) Curtis Gates Lloyd WMA.
  - 9 (a) Northern bobwhite and rabbit seasons shall be closed after December 31.
  - 10 (b) A person shall not allow a dog to be unleashed from April 1 until the third Saturday in
  - 11 August except if squirrel hunting.
- 12 (7) Dix River WMA.
  - 13 (a) Northern bobwhite and rabbit seasons shall be closed after December 31.
  - 14 (b) Grouse season shall be open from October 1 through December 31.
- 15 (8) Fleming WMA.
  - 16 (a) Northern bobwhite and rabbit seasons shall be closed after December 31.
  - 17 (b) Grouse season shall be open from October 1 through December 31.
- 18 (9) Green River Lake WMA.
  - 19 (a) The area shall be closed to all hunting for four (4) consecutive days beginning on the third
  - 20 Friday in November except for archery deer hunting and the pheasant quota hunt established in
  - 21 Section 5 of this administrative regulation.
  - 22 (b) Northern bobwhite and rabbit seasons shall be closed after December 31.
  - 23 (c) Pheasant.

- 1 1. Beginning on the Tuesday following the pheasant quota hunt through December 31, any
- 2 person with a valid hunting license may take a pheasant.
- 3 2. The daily limit per hunter shall be three (3) birds of either sex.
- 4 (d) The area shall be closed to grouse hunting and trapping.
- 5 (10) Higginson-Henry WMA. Northern bobwhite and rabbit seasons shall be closed after
- 6 December 31.
- 7 (11) Kleber WMA. Northern bobwhite and rabbit seasons shall be closed after December 31.
- 8 (12) Lake Cumberland WMA.
- 9 (a) Grouse season shall be open from October 1 through December 31.
- 10 (b) Northern bobwhite and rabbit seasons shall be closed after December 31.
- 11 (13) Mill Creek WMA.
- 12 (a) Northern bobwhite and rabbit seasons shall be closed after December 31.
- 13 (b) A person shall hunt coyotes during daylight hours only.
- 14 (14) Miller-Welch Central Kentucky WMA.
- 15 (a) Small game and furbearer hunting seasons shall be closed, except that squirrel season shall be
- 16 open.
- 17 (b) A person shall not allow a dog to be unleashed:
- 18 1. From April 1 until the third Saturday in August; or
- 19 2. On a Monday, Wednesday, or Friday during the remainder of the year, except:
- 20 a. If a person is hunting squirrels during an open season; or
- 21 b. If a person is participating in an authorized field trial.
- 22 (15) Mullins WMA. Northern bobwhite and rabbit seasons shall be closed after December 31.
- 23 (16) Nolin Lake WMA. Northern bobwhite and rabbit seasons shall be closed after December 31.

- 1 (17) Otter Creek Outdoor Recreation Area.
- 2 (a) Except as authorized by the department, a person shall not enter the area during a deer quota  
3 hunt without a valid quota hunt confirmation number.
- 4 (b) Northern bobwhite season shall be closed.
- 5 (c) Rabbit hunting season shall be from December 1 through December 31.
- 6 (d) Trapping season shall be from January 1 through the last day in February.
- 7 (e) A person who traps on the area shall:
- 8 1. First obtain prior authorization from the area manager; and
- 9 2. Only trap in department designated areas.
- 10 (f) Except during deer quota hunts, a person shall not use the following to take furbearers:
- 11 1. A rifle;
- 12 2. Ball ammunition; or
- 13 3. Slug ammunition.
- 14 (g) A person shall not use a rimfire gun to take small game, except during a deer quota hunt.
- 15 (18) Paul Van Booven WMA. The area shall be closed to vehicle access from one (1) hour after  
16 sunset until one (1) hour before sunrise.
- 17 (19) Peabody WMA.
- 18 (a) Northern bobwhite hunting on the Sinclair Unit shall:
- 19 1. Have shooting hours between 7:30 a.m. and 3:00 p.m.; and
- 20 2. Be closed on Sunday.
- 21 (b) A northern bobwhite hunter on the Sinclair Unit shall:
- 22 1. Check in and check out at the Peabody WMA office; and
- 23 2. Visibly display a hunting log on the dashboard of the hunter's vehicle.



- 1 (20) Pennyryle Forest WMA.
- 2 (a) Grouse season shall be open from December 1 through December 31.
- 3 (b) The daily limit shall be two (2).
- 4 (21) Pioneer Weapons WMA.
- 5 (a) A person shall not hunt with a breech-loading firearm.
- 6 (b) A person shall hunt coyotes during daylight hours only.
- 7 (22) Redbird WMA. A person shall hunt coyotes during daylight hours only.
- 8 (23) Robinson Forest WMA.
- 9 (a) Hunting shall not be permitted on the Main Block.
- 10 (b) The remainder of the WMA shall be open under statewide requirements.
- 11 (24) ~~[(c) A person shall hunt coyotes during daylight hours only.]~~
- 12 ~~(23)]~~ Taylorsville Lake WMA. Northern bobwhite and rabbit seasons shall be closed after
- 13 December 31.
- 14 (25) ~~[(24)]~~ Tradewater WMA.
- 15 (a) Grouse season shall be open from December 1 through December 31.
- 16 (b) The daily limit shall be two (2) grouse.
- 17 (26) ~~[(25)]~~ West Kentucky WMA.
- 18 (a) A person shall check in daily at a designated check station prior to using an "A" tract.
- 19 (b) Northern bobwhite and rabbit seasons shall be closed after December 31 on Tracts 2, 3, 6,
- 20 and 7.
- 21 (c) Northern bobwhite and rabbit seasons shall be open on Tracts 1, 4, 5, and "A" beginning one-
- 22 half (1/2) hour before sunrise until 1:00 p.m. local time from January 1 through January 10,
- 23 except if harvest limits are reached prior to January 10.

1 1. A hunter shall report harvest numbers and total hours hunted to the area supervisor on a daily  
2 basis.

3 2. If a tract is closed prior to January 10, a sign indicating closure shall be posted at the hunter  
4 check station at least twenty-four (24) hours prior to the closure.

5 (d) A person shall not:

6 1. Use a rifle, ball, or slug ammunition;

7 2. Operate a vehicle on Tract 6 from February 1 through April 16; or

8 3. Allow a dog to be unleashed from April 1 until the third Saturday in August, except while  
9 squirrel hunting.

10 (27) ~~(26)~~ Yellowbank WMA.

11 (a) Northern bobwhite and rabbit seasons shall be closed after December 31.

12 (b) Pheasant may be taken beginning on the Tuesday following the pheasant quota hunt through  
13 December 31.

14 (c) A person shall:

15 1. Possess a valid hunting license to take pheasant, unless exempt pursuant to KRS 150.170; and

16 2. Not take more than three (3) pheasants of either sex.

17 Section 5. Pheasant Quota Hunts. (1) There shall be a pheasant quota hunt on:

18 (a) Green River Wildlife Management Area for three (3) consecutive days beginning the third  
19 Friday in November;

20 (b) Clay Wildlife Management Area for three (3) consecutive days beginning the first Friday in  
21 December; and

22 (c) Yellowbank Wildlife Management Area for three (3) consecutive days beginning on the  
23 second Friday in December.

(2) There shall be a one (1) day clean-up hunt immediately following each of the hunts for pheasant quota hunters drawn for that particular WMA.

(3) Hunt hours for each day shall be from 9:00 a.m. to 4:00 p.m.:

(a) Eastern time for the Green River Wildlife Management Area and Clay Wildlife Management Area hunts; and

(b) Central time for the Yellowbank Wildlife Management Area hunt.

(4) During a quota hunt or clean-up hunt, a person shall wear orange clothing as established in 301 KAR 2:172.

(5) The daily bag limit per hunter shall be two (2) birds of either sex, except there shall be a daily bag limit of three (3) birds of either sex during the one (1) day clean-up hunt.

(6) Pheasant quota hunt procedures.

(a) A person selected for a pheasant quota hunt may hunt on the one (1) day clean-up hunt for that area.

(b) A person applying for a pheasant quota hunt shall:

1. Not apply more than one (1) time for each hunt and shall not be drawn for more than one (1) hunt; and

2. Not apply as a group of more than five (5) people.

(c) A person who is drawn to hunt shall pay the pheasant quota hunt permit fee established in 301 KAR 3:022 prior to the hunt.

Section 6. Northern Bobwhite and Upland Bird Quota Hunts. (1) There shall be one (1) day northern bobwhite quota hunts on one (1) tract of Peabody WMA on the following days:

(a) The fourth Saturday in November, which shall only be a youth-mentor hunt;

(b) The Tuesday following the fourth Saturday in November;

- 1 (c) The Tuesday following the third Saturday in December;
- 2 (d) The first Saturday in January;
- 3 (e) The second Saturday in January; and
- 4 (f) The Tuesday following the third Saturday in January.
- 5 (2) There shall be one (1) day upland bird quota hunts on Clay WMA on the following days:
- 6 (a) On the Wednesday following the first Saturday in November;
- 7 (b) The third Sunday in November;
- 8 (c) The second Sunday in December; and
- 9 (d) The third Tuesday in December.
- 10 (3) A person participating in a quota hunt shall:
- 11 (a) Only hunt from one-half (1/2) hour before sunrise to 2:00 p.m.;
- 12 (b) Wear hunter orange clothing pursuant to 301 KAR 2:172; and
- 13 (c) Not take more than four (4) northern bobwhite on a daily basis.
- 14 (4) A person who participates in an upland bird quota hunt:
- 15 (a) Shall not take more than four (4) grouse daily; and
- 16 (b) May take woodcock. Woodcock shall be taken pursuant to the requirements established in
- 17 301 KAR 2:225.
- 18 (5) A person applying for a northern bobwhite or upland bird quota hunt shall:
- 19 (a) Not apply more than one (1) time for each hunt and shall not be drawn for more than one (1)
- 20 hunt; and
- 21 (b) Not apply as a group of more than three (3) people.
- 22 (6) A person selected for a quota hunt shall only hunt the species identified on the permit.
- 23 Section 7. General Quota Hunt Requirements. (1) A person applying for a pheasant, northern

- 1 bobwhite, or upland bird quota hunt shall:
- 2 (a) Call the toll-free number listed in the current Fall Hunting and Trapping Guide from a touch  
3 tone phone between September 1 and September 30;
- 4 (b) Enter each applicant's Social Security number;
- 5 (c) Indicate a choice of days to hunt; and
- 6 (d) Pay a three (3) dollar application fee for each applicant prior to the drawing by:
- 7 1. Check;
- 8 2. Money order;
- 9 3. Visa; or
- 10 4. MasterCard.
- 11 (2) A person, prior to participating in a quota hunt, shall be required to show:
- 12 (a) A department-issued quota hunt permit;
- 13 (b) A valid Kentucky hunting license or proof of exemption; and
- 14 (c) A hunter education card, if required.
- 15 (3) A person or group participating in a northern bobwhite or upland bird quota hunt shall submit  
16 a hunting log within seven (7) days after the hunt.
- 17 (4) A youth-mentor quota hunt party shall have a minimum of one (1) youth as a member of the  
18 party.
- 19 (5) A person shall comply with all quota hunt requirements or be ineligible to apply for any other  
20 quota hunt during the following year, except for an elk quota hunt.
- 21 (6) A youth shall only apply as part of a party that has at least one (1) adult.
- 22 (7) The department may extend the application deadline if technical difficulties with the  
23 automated application system prevent applications from being accepted for one (1) or more days

1 during the application period.

2 (8) A quota hunt applicant who is not selected and applies to hunt the following year shall be  
3 given one (1) preference point for each year the applicant was not selected.

4 (9) A random selection of hunters with preference points shall be made for each year's quota  
5 hunts before those without preference points are chosen.

6 (10) A person shall forfeit all accumulated points if, in a given year, the person does not apply  
7 for the hunt in which points were earned.

8 Section 8. Dog Training Areas on Wildlife Management Areas. (1) A group or club may request  
9 that a dedicated dog training area be authorized by the department on a specific WMA.

10 (2) The department shall authorize a dog training area if:

11 (a) The department approves a suitable location for the dog training area; and

12 (b) A signed memorandum of understanding is entered into with the club or group.

13 (3) The conditions established in this subsection shall apply for each dog training area on a  
14 WMA.

15 (a) All northern bobwhite quail to be used in training shall be banded with aluminum leg bands  
16 and individually placed in the dog training area.

17 (b) Dog training areas shall remain open to all other legal WMA uses.

18 (c) A person shall comply with all dog training area requirements pursuant to 301 KAR 2:041,  
19 unless otherwise stated in the memorandum of understanding.

20 (d) Unleashed dogs shall be allowed within the boundaries of the dog training area year-round,  
21 except for the following days:

22 1. May 15 through August 15;

23 2. Youth statewide turkey season; and

3. Statewide turkey season.

(e) Released northern bobwhite quail with aluminum leg bands, chukars, pheasants, or pigeons may be harvested on legal dog training days.

(f) Immediately prior to dog training, a person shall:

1. Walk and examine the entire dog training area to ensure that no wild northern bobwhite quail are present; and

2. Then place released birds in the training area.

Section 9. General Requirements on Federally Owned Areas. (1) Season dates, bag limits and other requirements of 301 KAR 2:251, 2:049, and 2:050 shall apply except as otherwise established in this administrative regulation.

(2) Hunter orange requirements established in Section 3 of this administrative regulation shall apply to a person hunting or trapping on federal areas referenced in this section.

(3) A person shall:

(a) Obtain permission, in the form of area permits, before hunting;

(b) Not hunt except on assigned dates and in assigned areas; and

(c) Comply with any requirements established by the agency controlling the area.

Section 10. Exceptions on Specific Federally Owned Areas. (1) If hunting is not prohibited by other area priorities, Fort Campbell, Fort Knox, Land Between the Lakes National Recreation Area, Bluegrass Army Depot, and Reelfoot National Wildlife Refuge may allow hunting if in compliance with 301 KAR 2:122 and 2:251 for:

(a) Squirrels, from June 1 through June 14;

(b) Quail and rabbit, no earlier than November 1 nor later than the last day of February;

(c) Furbearers, no earlier than October 1 nor later than the last day of February;

1 (d) Frogs, year round; or

2 (e) Crows, for a maximum of 124 days between September 1 and the last day of February.

3 (2) A person shall hunt coyotes during daylight hours only on lands managed by:

4 (a) Daniel Boone National Forest;

5 (b) George Washington and Jefferson National Forests;

6 (c) Land Between the Lakes National Recreation Area;

7 (d) Clarks River National Wildlife Refuge; and

8 (e) Reelfoot National Wildlife Refuge.

9 (3) Fort Knox shall not allow more than thirty (30) days of grouse hunting between October 1  
10 and the last day of February.

11 (4) On Land Between the Lakes National Recreation Area, a person hunting the species listed in  
12 this administrative regulation shall not use:

13 (a) Crossbows;

14 (b) Shotgun slugs or shot larger than BB; or

15 (c) Center-fire rifles or center-fire handguns, except during designated groundhog or coyote  
16 hunts.

17 (5) Big South Fork National River and Recreation Area.

18 (a) Grouse season shall be open from October 1 through December 31.

19 (b) Northern bobwhite and rabbit seasons shall be closed after December 31.

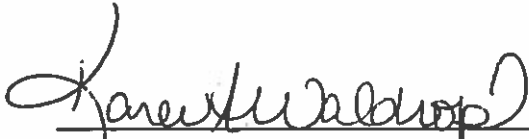
20 (c) A person hunting coyotes shall comply with any federal requirements established by the  
21 National Park Service.

22 Section 11. Incorporation by Reference. (1) "KDFWR Public Area Trapping Registration Form",  
23 2015 edition.

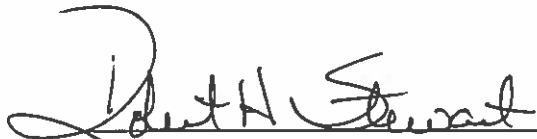


1 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at  
2 the Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky  
3 40601, Monday through Friday, 8 a.m. to 4:30 p.m. Eastern time.

Approved by the Fish and Wildlife Commission



Karen Waldrop, Deputy Commissioner, for  
Gregory K. Johnson, Commissioner  
Department of Fish and Wildlife Resources



Robert H. Stewart, Secretary  
Tourism, Arts and Heritage Cabinet

Date: 12/10/14

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on January 21, 2015, at 9 a.m. at the Department of Fish and Wildlife Resources in the Commission Room of the Arnold L. Mitchell Building, #1 Sportsman's Lane, Frankfort, Kentucky. Individuals interested in attending this hearing shall notify this agency in writing by five business days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled.

This hearing is open to the public. Any person who attends will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made.

If you do not wish to attend the public hearing, you may submit written comments on the proposed administrative regulation through close of business February 2, 2015.

Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to:

Rose Mack  
Department of Fish and Wildlife Resources  
Arnold L. Mitchell Building  
#1 Sportsman's Lane  
Frankfort, Kentucky 40601  
(502) 564-7109, Ext. 4507 FAX (502) 564-9136  
Email: [fwpubliccomments@ky.gov](mailto:fwpubliccomments@ky.gov)

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

301 KAR 2:049. Small game and furbearer hunting and trapping on public areas

Contact Person: Rose Mack

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes exceptions to statewide hunting and trapping regulations for small game and furbearers on public land and other federally owned areas.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to properly manage small game and furbearer populations, and to provide reasonable hunting and trapping opportunity on public lands.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 150.025(1) authorizes the Department to promulgate administrative regulations establishing open seasons for the taking of wildlife, to regulate bag limits, and to make these requirements apply to a limited area. KRS 150.175 (7), (9) authorizes the department to issues licenses, permits, and tags for hunting and trapping. KRS 150.360 requires restrictions on the taking of wildlife and authorizes the department to promulgate administrative regulations establishing the requirements for hunting coyotes at night. KRS 150.400 authorizes the department to establish the types of traps that can legally be used by trappers. KRS 150.410 authorizes the department to regulate trap tags, trap visitation, and trap placement to protect domestic animals. KRS 150.620 authorizes the department to promulgate administrative regulations for the maintenance and operation of lands it has acquired for public recreation.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation will assist in administering the above statutes by defining exceptions to the statewide seasons, bag limits, and methods used to hunt and trap small game and furbearers on public lands in Kentucky.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment establishes smaller size restrictions on dry land body-gripping traps used on public lands, and establishes a standard means of registration for persons trapping on department-owned or operated Wildlife Management Areas and Outdoor Recreation Areas. This amendment allows a person to hunt coyotes after daylight hours on Robinson Forest WMA. In addition, this amendment restricts coyote hunting on Redbird WMA to daylight hours only. It also contains modifications to conform with administrative regulation style requirements.

(c) How the amendment conforms to the content of the authorizing statutes: See (1)(c) above.

(d) How the amendment will assist in the effective administration of the statutes: See (1)(d) above.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All those who hunt or trap furbearers will be affected by this regulatory amendment. The Department sold 3,390 trapping licenses during the 2013-14 license year. Those individuals who hunt furbearers on public lands would also be affected, but that number is unknown.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: A trapper using body-gripping traps on a Wildlife Management Area or Outdoor Recreation Area shall now be restricted to the use of traps that are no larger than the standard 110 conibear-type trap when trapping on dry land. In addition, all persons must submit to the department a completed KDFWR Public Area Trapping Registration Form before trapping on Wildlife Management Areas or Outdoor Recreation Areas. In addition, coyotes may now be hunted after daylight hours on Robinson Forest WMA and only during daylight hours on Redbird WMA.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There will be no direct cost to hunters and trappers as a result of this amendment to the administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): New restrictions for body-gripping traps on public lands will minimize potential for the capture of non-target species. Trapper registration on public lands will allow the department to estimate trapping pressure on department WMAs and Outdoor Recreation Areas.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There will be no administrative cost to the department to implement this administrative regulation.

(b) On a continuing basis: There will be no cost to the department on a continuing basis.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The source of funding is the State Game and Fish Fund.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment. It will not be necessary to increase any other fees or to increase funding to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No fees established.

(9) TIERING: Is tiering applied? No. Tiering was not applied because all furbearer hunters and trappers in Kentucky must abide by the same seasons, methods of take, bag limits, harvest recording procedures, and checking requirements.

## **FISCAL NOTE ON STATE OR LOCAL GOVERNMENT**

Regulation Number: 301 KAR 2:049  
Contact Person: Rose Mack  
Phone number: (502) 564-3400

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Department of Fish and Wildlife Resources Divisions of Wildlife and Law Enforcement will be impacted by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. 150.025(1), 150.175(7), (9), 150.360, 150.400, 150.410, 150.620.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No additional revenue is expected to be generated by this administrative regulation during the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? The amount of revenue generated by this administrative regulation for subsequent years is expected to be stable to slightly increasing.

(c) How much will it cost to administer this program for the first year? There will be no administrative cost to administer this program for the first year.

(d) How much will it cost to administer this program for subsequent years? There will be no administrative costs incurred in subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): None.

Expenditures (+/-): None.

Other Explanation:

### **Summary of Material Incorporated by Reference**

- (1) The “KDFWR Public Area Trapping Registration Form”, 2015 edition, is a new one-page form that a person must complete and submit to the Department of Fish and Wildlife Resources prior to trapping on a Department-managed public area.



## KDFWR PUBLIC AREA TRAPPING REGISTRATION FORM

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Trapping License #: \_\_\_\_\_

Name of KDFWR public land (s) on which you will trap:

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Note to Trapper: All statewide and KDFWR public area trapping regulations apply. This registration form must be signed by the KDFWR Public Lands Manager/Biologist prior to beginning any trapping activities.

Trapper Printed Name \_\_\_\_\_

Trapper Signature \_\_\_\_\_ Date: \_\_\_\_\_

KDFWR Public Lands Manager/Biologist Printed Name \_\_\_\_\_

KDFWR Public Lands Manager/Biologist Signature \_\_\_\_\_

Date \_\_\_\_\_

Note to KDFWR Manager/Biologist: Send one copy to the local Conservation Officer and Regional Coordinator. If this permit is issued for trapping on Corps of Engineers Lands, give one copy to the Resource Manager or Division Office if no Manager is living on the area.